

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

EVAN WEINER, on behalf of himself and all
others similarly situated,

Civil Action No. 07-CIV-8742

Plaintiff,

v.

SNAPPLE BEVERAGE CORPORATION,

**MOTION TO ADMIT LYNNE M.
KIZIS *PRO HAC VICE***

Defendant.

PURUSANT TO RULE 1.3(c) of the Local Rules of the United States District Court for the Southern and Eastern Districts of New York, I, Daniel R. Lapinski, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission *pro hac vice* of:

Applicant's Name: Lynne M. Kizis (LK0860)
Firm Name: Wilentz, Goldman & Spitzer, P.A.
Address: 90 Woodbridge Center Drive
City/State/Zip: Woodbridge, New Jersey 07095
Phone Number: 732-636-8000
Fax Number: 732-726-6612
Email Address: lkizis@wilentz.com

Lynne M. Kizis is a member in good standing of the Bar of the State of New Jersey. Attached hereto is a Certificate of Good Standing from that jurisdiction. There

are no pending disciplinary actions proceeding against Lynne M. Kizis in any State or Federal Court.

Dated:

Respectfully submitted,

By:



Daniel R. Lapinski
Wilentz, Goldman & Spitzer
110 William Street
26th Floor
New York, NY 10038
(732) 636-8000 - telephone
(732) 855-6117 – facsimile

Supreme Court of New Jersey



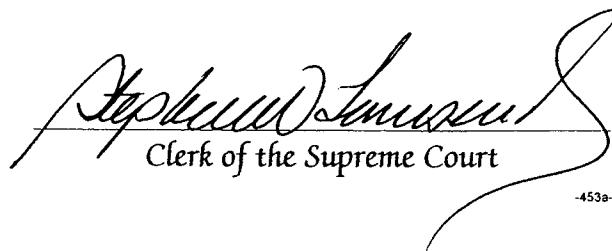
Certificate of Good Standing

This is to certify that **LYNNE M KIZIS**
(No. **037831987**) was constituted and appointed an Attorney at Law of New Jersey on **December 18, 1987** and, as such, has been admitted to practice before the Supreme Court and all other courts of this State as an Attorney at Law, according to its laws, rules, and customs.

I further certify that as of this date, the above-named is an Attorney at Law in Good Standing. For the purpose of this Certificate, an attorney is in "Good Standing" if the Court's records reflect that the attorney: 1) is current with all assessments imposed as a part of the filing of the annual Attorney Registration Statement, including, but not limited to, all obligations to the New Jersey Lawyers' Fund for Client Protection; 2) is not suspended or disbarred from the practice of law; 3) has not resigned from the Bar of this State; and 4) has not been transferred to Disability Inactive status pursuant to Rule 1:20-12.

Please note that this Certificate does not constitute confirmation of an attorney's satisfaction of the administrative requirements of Rule 1:21-1(a) for eligibility to practice law in this State.

In testimony whereof, I have hereunto set my hand and affixed the Seal of the Supreme Court, at Trenton, this
21ST day of May , 20 07


Stephen J. Cammilleri
Clerk of the Supreme Court

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

EVAN WEINER, on behalf of himself and all
others similarly situated,

Civil Action No. 07-CIV-8742

Plaintiff,

v.

SNAPPLE BEVERAGE CORPORATION,

**AFFIDAVIT OF DANIEL R.
LAPINSKI IN SUPPORT OF
MOTION TO ADMIT
LYNNE M. KIZIS
*PRO HAC VICE***

Defendant

STATE OF NEW YORK)
)
 ss:
COUNTY OF NEW YORK)

Daniel R. Lapinski, being duly sworn, hereby deposes and says as follows:

1. I am an associate with Wilentz, Goldman & Spitzer, counsel for Plaintiff in the above-captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Plaintiff's Motion to Admit Lynne M. Kizis as counsel *pro hac vice* to represent Plaintiff in this matter.
2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law before the First Judicial Department on March 4, 2002. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court since my admission on April 16, 2002.
3. I have known Lynne M. Kizis since November 2006. Since that time, and up to the present, I have worked closely with Ms. Kizis on numerous matters.
4. Ms. Kizis is a partner with the Firm of Wilentz, Goldman & Spitzer, P.A. with her office being located in Woodbridge, New Jersey.

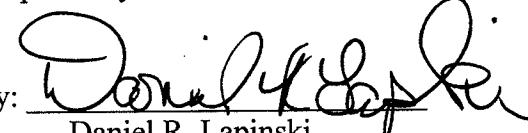
5. I have found Ms. Kizis to be a skilled attorney and a person of integrity. She is experienced in Federal practice and is familiar with the Federal Rules of Procedure.
6. Accordingly, I am pleased to move the admission of Lynne M. Kizis, *pro hac vice*.
7. I respectfully submit a proposed order granting the admission of Lynne M. Kizis, *pro hac vice*, which is attached hereto as Exhibit A.

WHEREFORE, it is respectfully requested that the motion to admit Lynne M. Kizis, *pro hac vice*, to represent Plaintiff in the above-captioned matter, be granted.

DATED:

Respectfully submitted,

By:


Daniel R. Lapinski
Wilentz, Goldman & Spitzer
110 William Street
26th Floor
New York, New York 10038
(212) 267-3091

Sworn to before me
in the State of New Jersey
and County of Middlesex
this 18th day of October, 2007



Notary Public

MARIANNE McGUCKIN
Notary Public - State of N.J.
My Commission Expires Aug. 1, 2011

Exhibit A

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

EVAN WEINER, on behalf of himself and all
others similarly situated,

Civil Action No. 07-CIV-8742

Plaintiff,

v.

SNAPPLE BEVERAGE CORPORATION,

**ORDER FOR ADMISSION *PRO
HAC VICE* OF LYNNE M. KIZIS
ON WRITTEN MOTION**

Defendant.

Upon the written motion of Daniel R. Lapinski, attorney for Plaintiff, and said
sponsor attorney's Affidavit in support;

IT IS HEREBY ORDERED that

Lynne M. Kizis (LK0860)
Wilentz, Goldman & Spitzer, P.A.
90 Woodbridge Center Drive
Woodbridge, New Jersey 07095
732-636-8000 - Telephone
732-726-6612 - Facsimile
lkizis@wilentz.com

is admitted to practice *pro hac vice* as counsel for Plaintiff in the above-captioned case in
the United States District Court for the Southern District of New York. All attorneys
appearing before this Court are subject to the Local Rules of this Court, including the
Rules governing discipline of attorneys. As this action has been assigned to the
Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF

password at nysd.uscourts.gov. Counsel shall forward the *pro hac vice* fee to the Clerk of the Court.

DATED: _____, 2007.
New York, New York

UNITED STATES DISRICT/MAGISTRATE JUDGE

CERTIFICATE OF SERVICE

I, Daniel R. Lapinski, hereby certify that the foregoing was served this 18th day of October, 2007, by Electronic Case Filing, on the following counsel of record:

Van H. Beckwith
Baker Botts, L.L.P.
2001 Ross Avenue, Suite 600
Dallas, Texas 75201

Maureen P. Reid
Baker Botts, L.L.P.
30 Rockefeller Plaza
New York, NY 10112



DANIEL R. LAPINSKI